

EXHIBIT 5

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE: FOREIGN EXCHANGE Case No.
BENCHMARK RATES ANTITRUST 1:13-cv-07789-LGS
LITIGATION

Deposition of
GREGORY JOHN GALAN
March 30, 2018
9:16 a.m.

Taken at:
Landskroner Grieco & Merriman, LC
1360 West 9th Street
Cleveland, Ohio

Wendy L. Klauss, RPR

1 A. That I had gotten money from
2 Catherine and John Kochis and Dennis Bell and
3 Louise Horvath.

4 Q. And did what with the money that
5 you got from those individuals?

6 A. And that I was going to give them
7 an interest rate, I don't recall the interest
8 rate, on money that they had given me.

9 Q. And was the general idea that these
10 individuals gave you money thinking they were
11 going to be pooled into some sort of
12 investment, but instead the money was used by
13 you to pay for overdue payroll taxes?

14 A. Yes.

15 Q. Do you deny that those things
16 actually happened?

17 A. No.

18 Q. And to be clear, the Gregory J.
19 Galan that's discussed in this exhibit is you,
20 correct?

21 A. That's correct.

22 Q. Now, were any of these people that
23 you mentioned that you received money from,
24 were any of them your clients when you were an
25 attorney?

1 A. Dennis Bell, and I may have done
2 some minor things for Kochis and Horvath.

3 Q. Did you testify in your own defense
4 at this trial?

5 A. No.

6 Q. And this was a jury verdict,
7 correct?

8 A. Yes.

9 Q. Now, you mentioned that you were in
10 prison. Was it related to this grand theft
11 matter?

12 A. Yes.

13 Q. How long were you in prison?

14 A. Sentenced or --

15 Q. How much -- let's start with --

16 A. I was sentenced for two years, and
17 I did ten months.

18 Q. Is that because you were given
19 parole?

20 A. I was given parole.

21 Q. Were you ordered in any way to pay
22 the victims back?

23 A. No. In fact, two of the three,
24 Kochis and Horvath, were paid before I began my
25 sentence. Bell I had paid part, but the amount

1 MR. BEREZNEY: Let's take our final
2 break, and I think I'm going to have -- I'll
3 probably have no more than an hour left, but
4 let's take five minutes, if we can, and then
5 I'll wrap it up.

6 (Recess taken.)

7 MR. BEREZNEY: Back on.

8 Q. Do you know what this lawsuit is
9 about?

10 A. No.

11 Q. Can you name any of the defendants?

12 A. I know there is about ten to 12
13 banks that are listed.

14 Q. Do you know any of their names, as
15 you sit here today?

16 A. If I sit and think. I probably
17 could come up with a few of them. Swiss
18 bank -- this may not be accurate. Not off the
19 top of my head. I could list them, but I would
20 have to sit and think about it.

21 Q. Have you read any of the various
22 complaints filed by the named plaintiffs in
23 this FX case?

24 A. No.

25 Q. Do you have any understanding of

REPORTER'S CERTIFICATE

The State of Ohio,)

SS:

County of Cuyahoga.)

I, Wendy L. Klauss, a Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within named witness, GREGORY JOHN GALAN, was by me first duly sworn to testify the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony then given by the above-referenced witness was by me reduced to stenotypy in the presence of said witness; afterwards transcribed, and that the foregoing is a true and correct transcription of the testimony so given by the above-referenced witness.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified and was completed without adjournment.

1 I do further certify that I am not
2 a relative, counsel or attorney for either
3 party, or otherwise interested in the event of
4 this action.

5 IN WITNESS WHEREOF, I have hereunto
6 set my hand and affixed my seal of office at
7 Cleveland, Ohio, on this 6th day of April,
8 2018.

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14 Wendy L. Klauss, Notary Public
15 within and for the State of Ohio
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17 My commission expires July 13, 2019.
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